

**WEST VIRGINIA DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
DESIGN DIRECTIVE**

**DD-251  
(FORMERLY DESIGN DIRECTIVE 204)  
TEMPORARY EROSION CONTROL**  
*July 1, 2006*

Temporary erosion control measures and NPDES permitting measures shall be incorporated into contract plans on all projects per the attached guidelines for “Temporary Erosion Control.”

Attachment

## TEMPORARY EROSION CONTROL GUIDELINES

### GENERAL REQUIREMENTS:

The designer shall prepare, or include provisions in the contract plans for the contractor to prepare, erosion and sediment control plans in accordance with "Best Management Practices" and the West Virginia Department of Transportation, Division of Highways "Erosion and Sediment Control Manual" (ES&C Manual) latest edition.

### COORDINATION OF PLANS:

The DOH has agreed to maintain close coordination with DEP during the design and construction stages of highway development. This will be accomplished by informing DEP of all future projects in writing as outlined in DD-202 and will conduct periodic reviews during plan development and during construction. As shown in Appendix A of DD-202 all coordination letters shall contain the following statements:

- Letters to the DEP:  
"This submission is for your review and comments in relation to significant water quality effects."
- Letters to the DNR:  
"This submission is for your review and comments in relation to fish and wildlife and recreational resources effects."

### PLAN REQUIREMENTS:

The method of calculating the quantities for pay items is outlined in Section 30 of the ES&C Manual and is intended to be used as a guide. Conditions on individual projects may indicate the need for adjustment of these methods.

### NPDES PERMIT REQUIREMENTS:

The General "National Pollutant Discharge Elimination System" (NPDES) Permit requires registration of most construction projects. The registration process and appropriate forms are contained in the E&SC Manual. An approved NPDES registration or a memorandum stating that NPDES registration is not required shall be included in all PS&E submissions. Completed example forms are attached to this DD for your information.

On state funded resurfacing projects the following note shall be added to the plans:

"If the contractor chooses to waste the millings and the waste area is between 1 acre and 3 acres, the contractor is responsible for obtaining the NPDES Notice of Intent Registration through the DEP which includes a \$300.00 registration fee prior to beginning construction. The contractor shall provide the West Virginia Division of Highways a copy of the DEP's acceptance and confirmation of the registration, prior to the start of construction. The DEP will require additional fees based on the length of time required for construction and is outlined in the general NPDES permit."



**WEST VIRGINIA**  
 Department of Environmental Protection  
 Division of Water Resources

NOTICE OF INTENT (NOI)  
 CONSTRUCTION STORM WATER WV/NPDES GENERAL PERMIT

GENERAL PERMIT REGISTRATION NO. WVG \_\_\_\_\_ (office use only)

1. Project name and Number \_\_\_\_\_

2. Applicant's name: **Gregory L. Bailey, P.E.**  
 Address: **West Virginia Department of Transportation**  
**Division of Highways**  
**Building 5, Room A-317**  
**1900 Kanawha Boulevard, East**  
**Charleston, WV 25305-0430** Telephone (304) 558-2830

3. Operator or contractor: **Will notify when contract is awarded**

4. Acres disturbed \_\_\_\_\_ (Must be "less than 3 acres" to use NOI Form)

5. Latitude \_\_\_\_\_ Longitude \_\_\_\_\_

6. Nearest Town \_\_\_\_\_ County \_\_\_\_\_ Route \_\_\_\_\_

7. Receiving Stream\*(s) \_\_\_\_\_  
 \*(If the receiving stream tier is 2.5 or 3.0, the NOI Form cannot be used)  
 Basin \_\_\_\_\_  
 Municipal System Operator (if applicable) \_\_\_\_\_

8. Statement of Right-to-Enter (Label as "Attachment 8" if applicable) **All rights-of-way are acquired.**

9. Brief Description of Project (Use additional pages if necessary and label as "Attachment 9")  
 \_\_\_\_\_  
 \_\_\_\_\_

10. Proposed Construction Schedule \_\_\_\_\_  
 \_\_\_\_\_

11. Certification of compliance with local and state laws (ex. subdivision, FEMA, and storm water management).  
 Label as "Attachment 11"

12. Topographic map with site located. (Label as "Attachment 12")

13. Groundwater Protection Plan (Do Not Attach. Maintain on site)

14. Storm Water Pollution Prevention Plan – Check one to be used  
 DWR Generic SWPPP  
 Developing other SWPPP  
 If other, name source/preparer for the plan \_\_\_\_\_

BY COMPLETING AND SUBMITTING THIS APPLICATION, I HAVE REVIEWED AND UNDERSTAND AND AGREE TO THE TERMS AND CONDITIONS OF THE GENERAL PERMIT ISSUED ON NOVEMBER 5, 2002. I UNDERSTAND THAT PROVISIONS OF THE PERMIT ARE ENFORCEABLE BY LAW. VIOLATION OF ANY TERM AND CONDITION OF THE GENERAL PERMIT AND/OR OTHER APPLICABLE LAW OR REGULATIONS CAN LEAD TO ENFORCEMENT ACTION.

I CERTIFY UNDER PENALTY OF LAW THAT I HAVE PERSONALLY EXAMINED AND AM FAMILIAR WITH THE INFORMATION SUBMITTED ON THIS FORM AND THAT IT IS, TO THE BEST OF MY KNOWLEDGE, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT.

APPLICANT SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

Gregory L. Bailey, P.E.  
Director, Engineering Division

Pursuant to an Emergency Rule filed by DEP and approved by the Secretary of State effective October 11, 2002, the application fee for construction projects disturbing between 1 to less than 3 acres in size is \$300.00. The Emergency Rule will be in effect pending action by the Legislature on a proposed rule amendment that would establish that fee in the legislative rules of the Department of Environmental Protection, Title 47, Series 26, Water Pollution Control permit fee schedule. You may obtain a copy of the referenced rules from the Secretary of State's Office, State Capitol Building, Charleston, WV 25305.

Your check or money order for the application fee must be made payable to the West Virginia Department of Environmental Protection.

**ALL SPILLS OR ACCIDENTAL DISCHARGES ARE REQUIRED TO BE REPORTED IMMEDIATELY TO THE EMERGENCY RESPONSE SPILL ALERT SYSTEM TOLL FREE TELEPHONE NUMBER 1-800-642-3074. CALLS FROM OUT OF STATE SHOULD BE MADE TO 304-348-8899.**



9. STATEMENT OF RIGHT-TO-ENTER (*if necessary*): ***All rights-of-way are acquired.***
10. BRIEF DESCRIPTION OF PROJECT (ATTACH SOILS REPORT): ***See Project Plans & Proposal available @ WVDOH Field Office.***
11. PROPOSED CONSTRUCTION SCHEDULE:
12. CERTIFICATION OF COMPLIANCE WITH LOCAL AND STATE LAWS (EX. SUBDIVISION, FEMA, AND STORM WATER MANAGEMENT) PLEASE ATTACH ***All applicable laws will be complied with.***
13. TOPOGRAPHIC MAP WITH SITE LOCATED (ATTACH COPY):
14. DETAILED SITE MAP OF TEMPORARY SEDIMENT CONTROLS (ATTACH): ***Will be performed by the Contractor awarded the project. Approved Contractor's Erosion Control Plan will be available @ WVDOH Field Office.***
15. NARRATIVE DESCRIPTION OF SEDIMENT AND EROSION CONTROL AND SEQUENCE OF EVENTS (SEE INSTRUCTIONS) USE ADDITIONAL PAGES IF NECESSARY: ***As per Contractor's Erosion Control Plan, Project Plans, & WVDOH Erosion and Sediment Control Manual – all available @ WVDOH Field Office.***
16. SITE MAP OF THE FINAL CONDITIONS SHOWING THE STORM WATER MANAGEMENT FACILITIES (ATTACH): ***As per Project Plans available @ WVDOH Field Office.***
17. INCREASE IN IMPERVIOUS AREA: FROM                      TO                      SQ FT  
NEW IMPERVIOUS AREA AS A PERCENTAGE OF PROJECT AREA:  
PRE AND POST DEVELOPMENT PEAK DISCHARGES FOR 1 YR/24 HOUR  
STORM:
18. NARRATIVE DESCRIPTION OF THE FINAL STORM WATER MANAGEMENT AND POLLUTION PREVENTION (ATTACH ADDITIONAL PAGES IF NECESSARY): ***As per Project Plans available @ WVDOH Field Office.***
19. GROUNDWATER PROTECTION PLAN (EITHER KEEP ON SITE OR SUBMIT WITH SWPPP FOR REVIEW) SEE INSTRUCTIONS: ***To be completed by the Contractor & available @ WVDOH Field Office.***

BY COMPLETING AND SUBMITTING THIS APPLICATION, I HAVE REVIEWED AND UNDERSTAND AND AGREE TO THE TERMS AND CONDITIONS OF THE GENERAL PERMIT ISSUED ON NOVEMBER 5, 2002. I UNDERSTAND THAT PROVISIONS OF THE PERMIT ARE ENFORCEABLE BY LAW. VIOLATION OF ANY TERM AND CONDITION OF THE GENERAL PERMIT AND/OR OTHER APPLICABLE LAW OR REGULATION CAN LEAD TO ENFORCEMENT ACTION.

I CERTIFY UNDER PENALTY OF LAW THAT I HAVE PERSONALLY EXAMINED AND AM FAMILIAR WITH THE INFORMATION SUBMITTED ON THIS FORM AND ALL ATTACHMENTS AND THAT, BASED ON MY INQUIRING OF THOSE INDIVIDUALS IMMEDIATELY RESPONSIBLE FOR OBTAINING THE INFORMATION, THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT.

OFFICIAL SIGNATURE: \_\_\_\_\_ DATE \_\_\_\_\_

PRINT NAME: *Gregory L. Bailey, P.E.*  
*Director, Engineering Division*

PRIOR TO FILING THIS APPLICATION, YOU MAY WISH TO OBTAIN A COPY OF THE LEGISLATIVE RULES OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, TITLE 47, SERIES 26, WATER POLLUTION CONTROL PERMIT FEE SCHEDULE IN ORDER TO DETERMINE THE APPROPRIATE PERMIT APPLICATION FEE REQUIRED TO ACCOMPANY YOUR SUBMISSION OF THIS APPLICATION. YOU CAN OBTAIN A COPY OF THE REGULATION FROM THE SECRETARY OF STATE'S OFFICE, STATE CAPITOL BUILDING, CHARLESTON, WV 25305. HOWEVER, YOU MAY WISH TO USE THE TABLE FOUND IN ITEM V. OF THE ATTACHED INSTRUCTIONS.

YOUR CHECK OR MONEY ORDER FOR THE APPROPRIATE APPLICATION FEE MUST BE MADE PAYABLE TO THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION.

**ALL SPILLS OR ACCIDENTAL DISCHARGES ARE REQUIRED TO BE REPORTED IMMEDIATELY TO THE EMERGENCY RESPONSE SPILL ALERT SYSTEM TOLL FREE TELEPHONE NUMBER 1-800-642-3074. CALLS FROM OUT OF STATE SHOULD BE MADE TO 304-348-8899.**